

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE *EX PARTE* Misc. Case No.:____
APPLICATION OF PATOKH CHODIEV :
FOR AN ORDER TO TAKE DISCOVERY :
PURSUANT TO 28 U.S.C. § 1782 :
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DECLARATION OF THOMAS WATSON

Pursuant to 28 U.S.C. § 1746, I, Thomas Watson, declare under penalty of perjury as follows:

1. I am an attorney admitted to practice in California and am a partner in the law firm Diamond McCarthy LLP. I intend to seek to be admitted pro hac vice to practice before this Court. I submit this Declaration in support of the Application for Leave to Take Discovery for Use in Foreign Proceedings pursuant to 28 U.S.C. § 1782 by Patokh Chodiev.

2. Attached as **Exhibit A** is a draft document subpoena, to be served in substantially the same form on Refinitiv US, LLC.

3. Attached as **Exhibit B** is a draft subpoena for a Rule 30(b)(6) deposition, to be served in substantially the same form on Refinitiv US, LLC.

4. Attached as **Exhibit C** is a draft document subpoena, to be served in substantially the same form on Thomson Reuters Holdings Inc.

5. Attached as **Exhibit D** is a draft subpoena for a Rule 30(b)(6) deposition, to be served in substantially the same form on Thomson Reuters Holdings Inc.

6. On September 11, 2020, Mr. Chodiev sent a Letter Before Claim to Refinitiv pursuant to the laws of England and Wales. Attached as **Exhibit E** is a true and correct copy of that September 11, 2020 Letter Before Claim.

7. On September 25, 2020, Refinitiv responded to Mr. Chodiev's Letter Before Claim. Attached as **Exhibit F** is a true and correct copy of the September 25, 2020 response.

8. On September 18, 2020, Mr. Chodiev delivered data subject access requests to Refinitiv pursuant to the GDPR. Attached as **Exhibit G** is a true and correct copy of the September 18, 2020 data subject access requests.

9. On October 30, 2020, Refinitiv produced thirteen documents in response to Mr. Chodiev's data subject access requests. These documents were from a limited time frame; were heavily edited, redacted, and/or manipulated; and did not all encompass the Report. Attached as **Exhibit H** is a true and correct copy of the Refinitiv letter accompanying this production.

10. **Exhibits I–L** are true and correct copies of documents Refinitiv produced on October 30, 2020 entitled "Client Services Communications 4", "Client Services Communication 7", and "Client Services Communication 8," as well as a January 25, 2019, email produced by Refinitiv at the same time.

11. On November 23, 2020, Refinitiv sent a letter to Mr. Chodiev. Attached as **Exhibit M** is a true and correct copy of that letter.

12. On December 3, 2020, the Refinitiv Data Privacy Office produced a single document to Mr. Chodiev. Attached as **Exhibit N** is a true and correct copy of that document.

13. On January 22, 2021, Refinitiv produced four documents in response to Mr. Chodiev's data subject access requests. One document contains redacted extracts from other documents without any identifying information or context. Attached as **Exhibit O** is a true and correct copy of the Refinitiv letter accompanying this production. Attached as **Exhibit P** is a true and correct copy of an August 3, 2020 email produced by Refinitiv.

14. On April 16, 2021, Mr. Chodiev sent a final letter to Refinitiv highlighting several

issues with its production necessitating the instant motion. Attached as **Exhibit Q** is a true and correct copy of that letter.

15. On April 29, 2021, Refinitiv responded to Mr. Chodiev's April 16, 2021 letter. Attached as **Exhibit R** is a true and correct copy of the Refinitiv letter.

16. The information sought in this Section 1782 application would be used to support Mr. Chodiev's GDPR proceedings in London, including for witness preparation, to pursue further discovery, and ultimately to present the case.

17. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 3, 2021
Los Angeles, California

A handwritten signature in black ink, appearing to read "Thomas Watson", written over a horizontal line.

THOMAS WATSON